

Commissioners of St. Mary's County Meeting Minutes (Tuesday, October 1, 2019)
Generated by Julie Burch on Tuesday, October 1, 2019

Members present

Commissioner President James R. Guy
Commissioner Eric Colvin
Commissioner Todd B. Morgan
Commissioner John E. O'Connor
Dr. Rebecca Bridgett, County Administrator
Julie Burch, Recorder

Absent: Commissioner Michael L. Hewitt

1. GROUNDBREAKING FOR THE ADULT DETENTION AND REHABILITATION CENTER, 41880 Baldrige St., Leonardtown, MD

The Commissioners attended the groundbreaking for the Adult Detention and Rehabilitation Center.

2. RETURN TO CHESAPEAKE BUILDING

3. WELCOME

Commissioner President Guy called the business meeting of the Commissioners of St. Mary's County to order at 10:16 a.m. in the Chesapeake Building Meeting Room, Governmental Center.

Approval of Consent Agenda

I move to approve the Consent Agenda, which includes the Minutes of August 24, 2019, as presented.

Motion by Commissioner Eric Colvin, second by Commissioner Todd B. Morgan.

Final Resolution: Motion Carries

Yea: Commissioners Guy, Colvin, Morgan, O'Connor

4. PROCLAMATIONS

Proclamations were presented for:

- A. National 4-H Week
- B. World Architecture Day

5. MAIN AGENDA ITEM

A. OFFICE OF THE COUNTY ATTORNEY - Legislative Update

PROPOSAL #2

MOTION. I move:

- to request authority to issue a bond bill in the upcoming legislative session on a TBD amount for public facility bonds for the fiscal year 2021 budget,
- to sign a letter of support to the Delegation and
- to approve and authorize Commissioner President Guy to sign letters of support to the House and Senate Committees for hearings on this bill.

Motion by Commissioner Eric Colvin, second by Commissioner Todd B. Morgan.

Final Resolution: Motion Carries

Yea: Commissioners Guy, Colvin, Morgan, O'Connor

PROPOSAL #17

To request enabling authority to allow the Commissioners of St. Mary's County to enact a Social Host Ordinance that would penalize individuals for hosting an event where underage persons possess or consume alcohol.

MOTION: I move to remove from reconsideration.

Motion by Commissioner John E. O'Connor, second by Commissioner Todd B. Morgan.

Final Resolution: Motion Carries

Yea: Commissioners Guy, Colvin, Morgan, O'Connor

PROPOSAL #21

To request amendment of §7-302 or 7-303 of the Public Safety Article of the Annotated Code of Maryland to allow the appointment of members of fire companies as deputy sheriffs in St. Mary's County.

MOTION: I move to remove from consideration and further reconsideration.

Motion by Commissioner John E. O'Connor, second by Commissioner Todd B. Morgan.

Final Resolution: Motion Carries

Yea: Commissioners Guy, Colvin, Morgan, O'Connor

6. COUNTY ADMINISTRATOR

A. DRAFT AGENDAS FOR OCTOBER 8 AND 22, 2019. There will be no meeting of the Commissioners on October 15, 2019.

B. DEPARTMENT OF RECREATION AND PARKS - Temporary Property Access - St. Mary's County Metropolitan Commission

I move to authorize the Commissioner President to sign the Temporary Access document allowing the St. Mary's Metropolitan Commission access to the Great Mills property for the purpose of installing a well.

Motion by Commissioner Todd B. Morgan, second by Commissioner John E. O'Connor.

Final Resolution: Motion Carries

Yea: Commissioners Guy, Colvin, Morgan, O'Connor

C. DEPARTMENT OF RECREATION AND PARKS - Waterway Improvement Fund (WIF) Countywide Maintenance Grant Award

I move to approve the FY2020 Waterway Improvement Fund (WIF) Countywide Maintenance Grant Award in the amount of \$5,000 and the related Budget Amendment and authorize the Commissioner President to execute the related documents.

Motion by Commissioner John E. O'Connor, second by Commissioner Todd B. Morgan.

Final Resolution: Motion Carries

Yea: Commissioners Guy, Colvin, Morgan, O'Connor

D. DEPARTMENT OF PUBLIC WORKS AND TRANSPORTATION - Mattapan Road (Reduce Speed Limit for a segment 3,735 feet)

I move to adopt the Ordinance to reduce the posted speed to 30 miles per hour on Mattapan Road for the 3,735 feet segment of road from Point Lookout Road (MD 5) to Kohut Way and the remainder of Mattapan Road will remain a 40 mile per hour limit.

Motion by Commissioner Eric Colvin, second by Commissioner Todd B. Morgan.

Final Resolution: Motion Carries

Yea: Commissioners Guy, Colvin, Morgan, O'Connor

E. DEPARTMENT OF PUBLIC WORKS & TRANSPORTATION - Reorganization in Transportation Division

I move to authorize the reorganization of the Transportation Division of DPW&T by eliminating two Part-Time Driver positions in favor of creating one Full-Time Driver position.

Motion by Commissioner Todd B. Morgan, second by Commissioner Eric Colvin.

Final Resolution: Motion Carries

Yea: Commissioners Guy, Colvin, Morgan, O'Connor

7. COMMISSIONERS' TIME

The Commissioners highlighted events attended over the past week and provided general comments.

MOTION TO ENTER INTO CLOSED SESSION

I move to enter into Closed Session for the purpose of discussing Litigation.

Motion by Commissioner Eric Colvin, second by Commissioner John E. O'Connor.

Final Resolution: Motion Carries

Yea: Commissioners Guy, Colvin, Morgan, O'Connor

8. CLOSED SESSION

A. LITIGATION

Present: James R. Guy, President
Eric Colvin, Commissioner
Todd B. Morgan, Commissioner
John E. O'Connor, Commissioner
Dr. Rebecca Bridgett, County Administrator
David Weiskopf, County Attorney
Sharon Ferris, Recorder

Authority: §9-512(a)(2) of the *Local Government* Article of the Annotated Code of Maryland

Time Held: 11:06 a.m. - 11:19 a.m.

Location: John Savich Meeting Room

Purpose: To discuss strategy for potential Litigation.

B. LITIGATION

Present: James R. Guy, President
Eric Colvin, Commissioner
Todd B. Morgan, Commissioner
John E. O'Connor, Commissioner
Dr. Rebecca Bridgett, County Administrator
David Weiskopf, County Attorney
Sharon Ferris, Recorder

Authority: §9-512(a)(2) of the *Local Government* Article of the Annotated Code of Maryland

Time Held: 11:19 a.m. - 11:24 a.m.

Location: John Savich Meeting Room
Purpose: To discuss strategy for ongoing Litigation.

9. ADJOURN

The meeting adjourned at 11:24 a.m.

Minutes approved by Commissioners of St. Mary's on October 8, 2019

JB

Julie Burch, Senior Administrative Coordinator

10. JOINT MEETING OF THE COMMISSIONERS OF ST. MARY'S COUNTY AND THE ST. MARY'S COUNTY DELEGATION, Chesapeake Building, 41770 Baldrige St., Leonardtown, MD

Members present

Commissioner President James R. Guy
Commissioner Eric Colvin
Commissioner Todd B. Morgan
Commissioner John E. O'Connor
Dr. Rebecca Bridgett, County Administrator
Alisa Casas, Communications Director
Sharon Ferris, Recorder

Delegation Chairman, Delegate Matt Morgan
Senator Jack Bailey
Delegate Gerald Clark
Delegate Brian Crosby

Commissioner President Guy called the Joint Meeting of the Commissioners of St. Mary's County and the St. Mary's County Delegation to order at 6:02 p.m. in the Chesapeake Building Meeting Room, Governmental Center.

Following introductions and opening remarks, David Weiskopf, County Attorney, presented the following 2020 County Legislative Proposals for discussion:

1. De-couple METCOM debt from County Debt. To repeal Section 27-11(A) of *Article 19 - Public Local Laws of St. Mary's County* as amended by Chapter 424 of the 2017 Session of the General Assembly of Maryland and to replace it with the original language which de-couples the METCOM debt from the County debt leaving Sections B & C remain intact.

2. Public Facility Bond Request. To request authority to issue public facility bonds in an amount to be determined for the FY 2021 budget.
3. Health Dept. Renovation Bond Initiative - To request \$812,320.00 in funds for FY 2021 to plan/design the expansion and renovation of the St. Mary's County Health Department.
4. St. Clement's Island Museum Bond Initiative - To request \$350,000.00 in funds for a multi-phase project to address St. Clement's Island Museum building renovations and public access, as well as update and expand the exhibit and interpretive spaces in the Museum.
5. St. Jerome's Creek Jetty Study Bond Initiative - To request \$118,150.00 in funds to help pay the non-Federal share of the USACE (US Army Corps of Engineers) feasibility study to determine if a new concept for jetties will be an effective measure against the historic shoaling in the mouth of the creek at the Chesapeake Bay.
6. Invest in St. Mary's Property Tax Challenge - To request the amendment of §9-320 of the Tax-Property Article of the Annotated Code of Maryland to offer commercial property owners a tax reduction for real property located in the County's growth areas and that has been renovated, rehabilitated or upgraded.
7. SMC Open Meetings Act – to allow closed meetings for investment of public funds, legal advice and cybersecurity. To amend §9-512(a) of the Local Government Article of the Annotated Code of Maryland (St. Mary's County Open Meetings Act) to align with the state open meetings act list of authorized reasons to hold a closed session meeting to include investment of public funds, to consult with counsel to obtain legal advice and to discuss cybersecurity
8. SMC Open Meetings Act – to add Library, METCOM and Housing Authority to list of public agencies and to encourage use of new technology. To amend §9-501(c)(1)(iii, iv, v) and §9-509(c) of the Local Govt. Article of the Annotated Code of MD to add three (3) agencies to the definition of "Public Agency" that are subject to the St. Mary's County Open Meetings Act: SMC Library System, Metropolitan Commission and the Housing Authority and to encourage the use of new technology.
9. SMC Open Meetings Act – to remove subcommittees. To amend §9-501(C)(2) of the Local Government Article of the Annotated Code of MD to remove "subcommittees" from the definition of Public Agency in the St. Mary's County Open Meetings Act;
10. To raise public accommodations tax up to 7%. To amend §20-405 of the Local Government Article of the Annotated Code of Maryland to increase the St. Mary's County Public Accommodations Tax enabling legislation from five (5) percent to seven (7) percent.
11. Allow Animal Control Officers to wear body cameras. To amend §10-402 of the Judicial Proceedings Article of the Annotated Code of Maryland to allow St. Mary's Co. Animal Control Officer to wear body worn cameras to record their encounters and activities.

12. To Repeal Installment Purchase Agreement Authority. To repeal Sections 1-8 of Chapter 526 of the 2005 Session of the General Assembly of MD which authorized the County's Agricultural Land Preservation Program – General Obligation - Installment Purchase Agreement Authority leaving Section 9 (27-11) intact.

13. Vaping excise tax. To request an exception to §12-102(b) of the Tax -General Article of the Annotated Code of Maryland for St. Mary's County to enable us to charge an excise tax on Vaping, E-Cigarettes, and ENDS (Electronic Nicotine Delivery System).

14. Snow Emergency Routes. To amend §12-535 of the Local Government Article of the Annotated Code of Maryland to allow St. Mary's County to designate Emergency Snow Routes on St. Mary's County roads

15. Amend Emergency Services Tax. To amend §49.1(E) of Article 19 of the Public Local Laws of St. Mary's County to allow individual rescue squads the ability to have alternatives funding sources without penalty.

16. The Alcohol Beverage Board of St. Mary's County To request amendment of 28-401 and 404 of the Alcohol Beverages Article of the Annotated Code of Maryland to establish and set a fee for an On-Site Consumption Permit for a Class 1 Distillery.

17. College of Southern Maryland. To amend §16-610 of the Education Article of the Annotated Code of Maryland regarding College of Southern Maryland - Local Budget Process Modifications.

18. St. Mary's County Metropolitan Commission. To amend Article 19 of the Public Local Laws of St. Mary's County, Chapter 113 – Metropolitan Commission - to provide non-substantive and clarifying revisions to consolidate and reorganize the text of the Chapter.

19. Tri-County Council for Southern Maryland. To amend §13-611 of the Economic Development Article of the Annotated Code of Maryland to alter the funding formula of the Tri-County Council for Southern Maryland.

Public Comments given by:

Deb Rey, Lexington Park, MD, (Proposals #1, 2, 5, 6, 7, 8, 9, 10, 11, 13, 15)

Michael Blackwell, Tall Timbers, MD (Proposals #4, 8)

Jason Aul, Leonardtown, MD (Proposal #10)

Don Williams, Piney Point, MD (Proposal #7)

Jamie Raley, Avenue, MD (Proposal #9)

Commissioner President Guy closed the meeting for public comments.

Following closing remarks from Commissioner President Guy and Delegate Morgan, Commissioner President Guy closed the public hearing at approximately 7:35 pm.